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**TESTIMONY ON SB93 YES ACT – FAVORABLE**  
**JUVENILE COURT-JURISDICTION**

**TO:** Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

**FROM:** Toby Ditz.

I am Toby Ditz, a resident of District 40 in Baltimore City. I am submitting testimony in **strong support of SB93.**

I am also a retired historian of the United States. One of my specialties is the history of family life. Historical scholarship shows that this country has never been willing to grant to Black children the same protections as we do white children. We have always treated the children of the poor as little laborers, not as vulnerable youngsters who deserve the same respect for their developmental needs as children of wealthier families. But our failure to respect or even to recognize Black childhood is also the legacy of enslavement, with its brutal labor regimes and utter disregard for the integrity of Black families, and its aftermath in the era of Jim Crow. As implicit bias studies have shown again and again, racist stereotypes of Black children persist strongly to this day. We see them as more dangerous and impulsive than white children, and as older than they are.

In the 20th and the 21st century, the criminal justice system has been one of the main inheritors and perpetrators of our differential treatment of white and Black children and families. The criminalization of Black childhood is at its most extreme when we treat children literally as *if they were adults* in criminal courts. It is staggering that more than 81% of children charged in adult courts in Maryland are Black; as a result they have less access to rehabilitative services available to the young and more exposure to violence.

We Marylanders must act decisively to disrupt the dismaying history of disparate treatment of black children, especially in the criminal justice system. Let's start by making sure children are treated as children when they first come to court.

I add this bill builds in many exceptions for certain classes of crime; it is hard to see what possible excuse there is for failing to champion the end of "auto-charging."

**I respectfully urge this committee to return a favorable report on SB93.**